

Application Serial No. 10/501,064

AMENDMENTS TO THE CLAIMSOT-4995
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This listing of claims replaces all prior versions and listings of claims in the application:

1. (Currently Amended): A method of monitoring the functionability of a brake lining, comprising the following steps:

measuring a value that characterizes the dielectric constant of the lining, wherein the lining is provided between a first, pressing braking member and a second, pressed braking member;

comparing the measured value with a reference value for the lining; and
determining the functionability when the measured value is within a specific tolerance range,

wherein, when the brake is actuated, the lining contacts the first, pressing braking member and the second, pressed braking member,

wherein the lining includes a braking surface,

wherein at least one conductor is arranged in the lining, and

wherein the at least one conductor is substantially arranged in a plane, which plane is substantially parallel to the braking surface of the brake lining.

2. (Previously Presented): A method as claimed in claim 1, wherein the measured value is determined by a static capacitance measurement.

3. (Previously Presented): A method as claimed in claim 1 or 2, further comprising the step of performing a conduction measurement.

4. (Previously Presented): A method as claimed in one of claims 1 to 2, further comprising the step of providing at least two conductors located in the lining.

5. - 8 (Cancelled).

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9. (Currently Amended): A brake comprising:
a first, pressing braking member;
a second, pressed braking member;
a brake lining provided between the first and second braking members, the brake lining comprising a brake lining material; and
a brake lining monitoring device which is constructed so that it can determine the functionability of the brake lining on the basis of a change in the dielectric constant of the brake lining material,
wherein, when the brake is actuated, the lining is configured to contact the first, pressing braking member and the second, pressed braking member,
wherein the lining includes a braking surface,
wherein at least one conductor is arranged in the lining, and
wherein the at least one conductor is substantially arranged in a plane, which plane is substantially parallel to the braking surface of the brake lining.

10. (Currently Amended): A brake comprising:
a brake lining comprising:
a lining; and
at least two conductors arranged in the lining in a way so that the conductors can be used to perform a capacitance measurement; and
a brake lining monitoring device which is constructed so that it can determine the functionability of the brake lining on the basis of a change in the dielectric constant of the brake lining,
wherein the lining is configured to be provided between a first, pressing braking member and a second, pressed braking member,
wherein the lining includes a braking surface, and
wherein the conductors are substantially arranged in a plane, which plane is substantially parallel to the braking surface of the lining.

11. (Previously Presented): A brake as claimed in claim 10, wherein the brake lining monitoring device comprises a resistance which, in conjunction with the capacitance emitted by the at least two conductors forms an oscillating circuit.

12. – 15. (Canceled).